

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

KRYSTAL MARTINEZ-Di PIPPA

Cr. No. 23-146

U.S. District Judge J. Nicholas Ranjan

**MOTION REQUESTING NOTICE PURSUANT TO RULE 404(b) OF THE
FEDERAL RULES OF EVIDENCE**

Defendant Krystal Martinez-Di Pippa, through her attorney, Michael Ovens, files this Motion respectfully requesting this Court order the Government to provide notice of evidence it intends to use of pursuant to Federal Rule of Evidence 404(b), and submits the following:

1. On June 28, 2023, the government filed an indictment against Ms. Martinez-Di Pippa charging her with violations of the Civil Disorder statute, 18 U.S.C. § 2 and 231(a)(3), and Conspiracy, 18 U.S.C. § 371. ECF 3.
2. Though generally prohibited, certain evidence of other crimes, wrongs, or acts can be admitted for limited purposes provided certain safeguards are met. F.R.Evid. 404(b)(1) and (2).
3. “In a criminal case, the prosecutor must provide reasonable notice of any such evidence that the prosecutor intends to offer at trial, so that the defendant has a fair opportunity to meet it.” F.R.Evid. 404(b)(3)(A). Additionally, that notice must provide the permitted purpose for which the prosecutor intends to offer the evidence and must be done in writing. F.R.Evid. 404(b)(3)(B) and (C).

4. Notice of what evidence will be presented is necessary for adequate investigation and preparation of the purported evidence. Ms. Martinez-Di Pippa requests this information be provided to him now so that she may be prepared to meet it, as the potential for unfair prejudice may be high with any such evidence.

5. Furthermore, notice at this time would allow for Ms. Martinez-Di Pippa to raise any objections prior to trial, minimizing any disruption to trial or other proceedings.

WHEREFORE, Ms. Martinez-Di Pippa requests that this Honorable Court grant the within motion and order that notice be provided to her regarding Federal Rule of Evidence 404.

Respectfully submitted:

/S/ Michael Ovens

Michael Ovens, Esq.

PA ID No. 317994

The Law Office of Michael Ovens

220 Grant Street, Suite 302

Pittsburgh, PA 15219

P: 412-368-3445

F: 412-219-5268

mike@ovenslaw.com